

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 687 - HB 790

March 30, 2009

SUMMARY OF BILL: Requires any permit issued by the Department of Environment and Conservation to specify the types of waste a facility is prohibited from receiving for disposal or processing. Prohibits knowingly accepting, processing, or disposing of radioactive waste material in any landfill in the state. Federal entities acting under federal law would be exempt from such requirement.

ESTIMATED FISCAL IMPACT:

Decrease State Revenue – \$2,640,500

**Increase State Expenditures – \$458,000/One-Time
\$320,000/Recurring**

**Increase Local Expenditures - \$8,910,000/One-Time*
Not Significant/Recurring**

Assumptions:

- State revenue will decrease a total of \$2,640,500 due to the loss of \$460,500 in license fees currently collected from radioactive waste processors, \$180,000 in lost license for delivery fees, and approximately \$2,000,000 as a result of no longer collecting the \$0.15 per pound charge for disposal of such waste.
- The Department of Environment and Conservation (TDEC) will need five new positions to provide oversight of landfills in the state resulting in a recurring increase in state expenditures of approximately \$320,000. Such increase is for salaries (\$206,700), benefits (\$70,300), travel (\$15,000), printing (\$1,500), office space (\$13,500), phones (\$3,000), office supplies (\$1,500), network connections (\$6,000), and annual contributions to the equipment replacement fund (\$2,500).
- The state is estimated to incur a total increase in one-time expenditures of approximately \$458,000. Such increase is attributable to one-time costs associated with the office landscaping and computer equipment required for the five new positions (\$28,000), mobile radiation

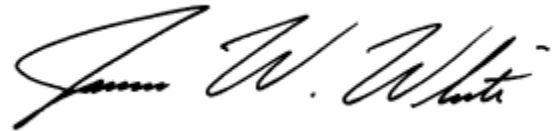
monitoring equipment (4 units at \$90,000 each – 4 x \$90,000 = \$360,000), handheld radiation monitoring devices (4 units at \$5,000 each – 4 x \$5,000 = \$20,000), and training for all five new employees estimated to total \$50,000 (5 new positions x \$10,000 training cost = \$50,000).

- 81 landfills in the state are operated by local governments.
- Each landfill will be required to monitor incoming waste.
- Each locally owned landfill will require radiation monitoring equipment to monitor incoming waste. Such equipment is estimated to cost at least \$100,000 per landfill resulting in a one-time increase in local government expenditures of approximately \$8,100,000.
- Locally owned landfill operators will require training to monitor incoming waste. Such training is estimated to be \$10,000 per person. Assuming one person per locally owned facility is trained, there will be a one-time increase in local government expenditures of approximately \$810,000.
- The total one-time increase in local government expenditures is estimated to be \$8,910,000.
- Any recurring costs to local governments to maintain the program are estimated to be not significant.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director

/cce